

TOWNSHIP OF NEPTUNE
NOTICE OF FINAL ADOPTION OF ORDINANCE
ORDINANCE NO. 13-15

AN ORDINANCE TO ADD VOLUME I, CHAPTER VII, SECTION 7-10A OF THE CODE OF THE TOWNSHIP OF NEPTUNE TO PROHIBIT THROUGH TRAFFIC ON MONROE AVENUE AT STATE HIGHWAY 35

Approved on First Reading: April 8, 2013

Approved, passed and adopted on final reading: April 22, 2013

NOTICE
ORDINANCE NO. 13-16
Township of Neptune
County of Monmouth

NOTICE is hereby given that at a regular meeting of the Township Committee of the Township of Neptune on the 22nd day of April, 2013, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 13th day of May, 2013, at the Neptune Municipal Complex, Township Committee Meeting Room – 2nd Floor, 25 Neptune Blvd. Neptune, New Jersey at 7:00 p.m. to further consider this ordinance for final passage and to give all interested persons an opportunity to be heard concerning this ordinance. Copies of the full text of the ordinance published herewith are available for inspection by the members of the general public who shall request same at the office of the Township Clerk located at the above address. The ordinance is also posted on the Township web site at www.neptunetownship.org.

ORDINANCE NO. 13-16

AN ORDINANCE TO AMEND VOLUME I, CHAPTER XVIII OF THE CODE OF THE TOWNSHIP OF NEPTUNE KNOWN AS “HARBOR UTILITY, SECTIONS 18-2.2 AND 18-2.13” BY ESTABLISHING PROCEDURES FOR ABANDONED OR DISABLED VESSELS

BE IT ORDAINED by the Township Committee of the Township of Neptune of the County of Monmouth in the State of New Jersey that the Neptune Township Code of Ordinances, Volume I, Chapter XVIII, Section 18-2.13 of the Code of the Township of Neptune entitled “Harbor Utility” is hereby amended as follows:

Section 18

18-2.2 Definitions shall add the following:

Vessel means a boat, ship or any other watercraft, regardless

of whether it is, or was, used for recreational, commercial or industrial purposes or any other purpose other than a seaplane on the water, used or capable of being used as a means of transportation on the water, except a boat or watercraft, which is subject to the provisions of P.L. 1969, C.264 (C.12:7C-1 et seq.), and includes any trailer used to transport or store it.

18-2.13

a. Abandoned or Disabled Vessel/Watercraft

Every vessel or watercraft in the waterway, which is abandoned or which becomes a menace to navigation or is unseaworthy, or sinks, grounds or becomes otherwise disabled, is hereby declared to be a nuisance and the person in charge thereof shall abate such nuisance within forty-eight hours after notice thereof from the Marina Supervisor or Business Administrator.

b. Notice that Vessel/Watercraft Will be Removed

After a vessel or watercraft has been moored, grounded or docked without a Neptune Township Marina Vendor License for a period of one week, the Marina Supervisor or other designee of the Harbor Commission or Township Committee may affix a notice on the vessel or watercraft advising that if the vessel or watercraft is not removed by the date indicated on the notice, which shall be no less than seven calendar days following the date that the notice is affixed, then the vessel, including any trailer upon which a grounded vessel or watercraft has been placed, will be removed to a holding area. The Marina Supervisor and/or Township Administrator shall designate and appropriately mark and appropriate location in the harbor area.

c. Power of Harbor Commission

The Harbor Commission and its designee are hereby vested with the power to raise, recover, tow, remove, store, destroy and dispose of vessel or watercraft that have been abandoned in the harbor or waterfront as appropriate pursuant to the procedures applicable to municipal waterways in the Abandoned and Sunken Vessel Disposition Law (N.J.S.A. 12:7C-7 et seq.) or other statutory provisions for the disposition of abandoned watercraft and vessels.

d. Liability for Damages

No agent, servant, employee or authorized representatives of the Harbor Commission or the Township shall be held liable for any damages or loss to any vessel or watercraft or its contents that is removed to a holding area and stored pursuant to the authority of this Ordinance.

e. Violations and Penalties

The owner or operator of the vessel or watercraft who violates

the provisions of this Section shall be liable to a penalty of not less than \$100.00 nor more than \$1,250.00. Each day upon which the violation continues shall constitute a separate offense. The civil penalty imposed pursuant to this Section shall be collected pursuant to the Penalty Enforcement Law of 1999 (N.J.S.A. 2A:58-19 et seq.) in a summary proceeding in the Township Municipal Court.

f. Issuance of Summons; Disposition of Fines

The Marina Supervisor or his or her designee, or other designee as appointed by the Township Committee or any member of the Township Police Department is authorized to issue a summons for a violation of the provisions of this Section and may serve and execute all process with respect to its enforcement. A penalty recovered under the provisions of this Section shall be recovered by and in the name of the state by the local municipality and shall be paid into the treasury of the Township of Neptune.

All Ordinances or parts of Ordinances, which are inconsistent herewith, are repealed, but only to the extent of such inconsistency.

The amended Ordinance shall become effective immediately upon its final passage and publication as required by law.

Richard J. Cuttrell,
Municipal Clerk

NOTICE
ORDINANCE NO. 13-17
Township of Neptune
County of Monmouth

NOTICE is hereby given that at a regular meeting of the Township Committee of the Township of Neptune on the 22nd day of April, 2013, the following Ordinance was introduced and passed on first reading.

Said Township Committee will meet on Monday, the 13th day of May, 2013, at the Neptune Municipal Complex, Township Committee Meeting Room – 2nd Floor, 25 Neptune Blvd. Neptune, New Jersey at 7:00 p.m. to further consider this ordinance for final passage and to give all interested persons an opportunity to be heard concerning this ordinance. Copies of the full text of the ordinance published herewith are available for inspection by the members of the general public who shall request same at the office of the Township Clerk located at the above address. The ordinance is also posted on the Township web site at www.neptunetownship.org.

ORDINANCE NO. 13-17

AN ORDINANCE AMENDING LAND DEVELOPMENT
ORDINANCE VOLUME II, SECTION 411 ENTITLED
“SUPPLEMENTARY ZONING REGULATIONS FOR RESIDENTIAL
ZONES”, SECTION 802A ENTITLED “DEVELOPMENT

APPLICATION COMPLETENESS CHECKLIST” AND SECTION
802B ENTITLED “COMPLETENESS CHECKLIST FOR USE
VARIANCE AND BULK VARIANCE REQUEST”

BE IT ORDAINED by the Township of Neptune of the County of Monmouth in the State of New Jersey that the Land Development Ordinance shall be amended as follows:

Section 411.07A Porches and Decks (in all areas of Neptune Township other than the Historic District).

- B. Deck setbacks. For single family residential structures, a deck may extend no more than eight (8) feet into the required front setback area, provided the principal structure conforms to the front yard setback requirement. For single family residential structures, a deck may extend no further than fifteen (15) feet into a required rear yard setback area, provided the principal structure conforms to the rear yard setback requirements. In no instance shall a deck be closer than ten (10) feet to a front, rear or side lot line. No deck for a residential structure may extend into a side setback area. No deck associated with a multi-family residential use may extend into any required setback area.
- C. Porch setbacks. For residential structures, a porch may extend no more than eight (8) feet into the required front and/or rear setback area, provided the principal structure conforms to the front yard setback requirement. No porch for a residential structure may extend into a side setback area. No porch associated with any multi-family residential use may extend into any setback area. The front yard setback of a porch shall not be considered the front yard setback of the principal building to which it is attached.

Section 411.07B Porches and Decks (in the Historic District of Neptune Township)

- A. Applicability. This Subsection includes regulations for attached, accessory porches and decks located on properties used for residential purposes within the historic zone districts.
- B. Deck setbacks. For residential structures a deck may not encroach into any setback/yard areas. No deck associated with a multi-family residential use may extend into any required setback/yard areas.
- C. Porch setbacks. For residential structures, a porch may not encroach into any setback/yard areas. No porch associated with any multi-family residential use may extend into any setback/yard areas.

Section 802A Development Application Completeness Checklist

Section §802 [Submissions required for all development applications, excluding Use Variances and Bulk Variances]

Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following documents have been submitted:

C	N	N/A*	W*	<u>ONLY FOLDED PLANS WILL BE ACCEPTED</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Twenty-five (25) copies of completed and signed application form which must include the following: <ul style="list-style-type: none"> <input type="checkbox"/> Provide identification of subject property/properties' Special Flood Hazard Area Zone <input type="checkbox"/> Executed copy of "Authorization & Consent Form" part "C" <input type="checkbox"/> Certificate of Ownership, if applicable part "D" <input type="checkbox"/> Executed copy of Escrow Agreement part "E" <input type="checkbox"/> Applicant/Owner to provide verification of taxes paid (this will be further verified by the Administrative Officer).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Twenty-five (25) copies of the property deed(s)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Twenty-five (25) copies of the Zoning Permit Denial [not required for subdivisions]
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Required Plans folded no larger than 30"x42": <ul style="list-style-type: none"> a. Twenty-five (25) copies of current signed & sealed survey, prepared by a New Jersey Licensed Professional Land Surveyor. b. Six (6) copies of Soil Erosion & Sediment Control Plans and proof of submission to Freehold Soil Conservation District or letter of exemption from FSCD. c. Five (5) copies with initial submission and each subsequent submission for completeness review. d. Once the application is deemed complete, twenty (20) additional full-sized paper sets of the plans plus one (1) reduced-size paper set of the plans no larger than 11"x17", and one (1) CD containing the plans in .pdf format must be submitted to the Board Office for distribution.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Six (6) copies of Tree removal Application package in accordance with Section §525
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Six (6) copies of Environmental Impact Statement [EIS]
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Six (6) copies of Stormwater Management Report
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Proof of submission to Monmouth County Planning Board [if applicable]
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Copy of Letter of Interpretation (LOI) or Letter of Exemption or proof of submission to New Jersey Department of Environmental Protection regarding presence of wetlands.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. Proof of submission to CAFRA [if applicable]
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Six (6) copies of Circulation Impact Study
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. Community Impact Statement [for Major Site Plan and/or Major Subdivision only]
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13. Application Fee \$ _____ Escrow Deposit \$ _____ In accordance with fee schedule.

C = Complete N = Incomplete N/A = Not Applicable

*** Any request for a "WAIVER" must include a written explanation for the request.**

Section 802B. Completeness Checklist for Use Variance and Bulk Variance Request.

Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine

that the following documents have been submitted:

C	N	N/A*	W*	<u>ONLY FOLDED PLANS WILL BE ACCEPTED</u>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Twenty-five (25) copies of completed and signed application form which must include the following: <ul style="list-style-type: none"> <input type="checkbox"/> Applicant's name, address, telephone number, facsimile number, and e-mail address (if applicable). <input type="checkbox"/> Property Owner's name, address, telephone number, facsimile number, and e-mail address (if applicable). <input type="checkbox"/> Applicant's interest in the property. <input type="checkbox"/> Name, address, telephone number, facsimile number, and e-mail address (if applicable) of the Applicant's attorney (if represented) as well as any and all other professional representative(s). <input type="checkbox"/> Street address of the property <input type="checkbox"/> Tax lot and block numbers of the property <input type="checkbox"/> Zoning District in which the property is located. <input type="checkbox"/> Description of the property <input type="checkbox"/> Description of the proposed development. <input type="checkbox"/> Type of application <input type="checkbox"/> Provide identification of subject property/properties' Special Flood Hazard Area Zone <input type="checkbox"/> Executed copy of "Authorization & Consent Form" Part "C" <input type="checkbox"/> Executed copy of "Certificate of Ownership" Part "D", if applicable <input type="checkbox"/> Executed copy of "Certificate of Corporation/Partnership", if applicable <input type="checkbox"/> Applicant/Owner to provide verification of taxes paid (this will be further verified by the Administrative Officer). <input type="checkbox"/> Executed copy of "Escrow Agreement" Part "E"
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Twenty-five (25) copies of the property deed(s).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Twenty-five (25) copies of the Zoning Permit Denial [not required for subdivisions]
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Required Plans folded, no larger than 30"x42":
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	a. Twenty-five (25) copies of current signed & sealed survey, prepared by a New Jersey Licensed Professional Land Surveyor.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	b. Five (5) copies with initial submission and each subsequent submission for completeness review.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	c. Once the application is deemed complete, twenty (20) additional full-sized paper sets of the plans plus one (1) reduced-size paper set of the plans no larger than 11"x17", and one (1) CD containing the plans in .pdf format must be submitted to the Board Office for distribution.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Six (6) copies of Tree Removal Application package in accordance with Section §525 (if applicable).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Community Impact Statement (for Use Variance only)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Application Fee \$ _____ Escrow Deposit \$ _____

In accordance with fee schedule.

C = Complete N = Incomplete N/A = Not Applicable

*** Any request for a "WAIVER" must include a written explanation for the request.**

All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

The Ordinance shall become effective immediately upon its final passage and publication as required by law.

Richard J. Cuttrel,
Municipal Clerk

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF NEPTUNE
PUBLIC NOTICE
NOTICE OF PENDING BOND ORDINANCE NO. 13-18 AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Neptune, in the County of Monmouth, State of New Jersey, on April 22, 2013. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at Township Municipal Complex, 25 Neptune Boulevard, Neptune, New Jersey, on May 13, 2013 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title:	BOND ORDINANCE PROVIDING FOR VARIOUS MARINA UTILITY IMPROVEMENTS, BY THE MARINA UTILITY OF THE TOWNSHIP OF NEPTUNE, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$1,500,000 THEREFOR (INCLUDING A GREEN ACRES GRANT IN THE AMOUNT OF \$600,000) AND AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OR NOTES OF THE MARINA UTILITY OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF
Purpose(s):	Various 2013 Marina Utility Improvements, Including But Not Limited To, Including But Not Limited To, Dredging, Drainage And Site Improvements, Bulkhead Replacement And Improvements, The Acquisition, Construction And/Or Installation, As Applicable, Of Or Improvements To, Floating Docks, Access Ramps, Walkways, Boardwalk And Dock Boxes And Various Electrical And Lighting Improvements
Appropriation:	\$1,500,000
Bonds/Notes Authorized:	\$900,000
Grants Appropriated:	\$600,000 Green Acres Grant from the NJDEP
Section 20 Costs:	\$150,000
Useful Life:	20.59 years

RICHARD J. CUTTRELL,
Clerk of the Township of Neptune

**TOWNSHIP OF NEPTUNE
NOTICE OF PUBLIC HEARING
AMENDMENT TO APPROVED 2013 MUNICIPAL BUDGET**

NOTICE is hereby given that a public hearing on the following Budget Amendment will be held at the Neptune Township Municipal Complex, Township Meeting Room, 2nd Floor, 25 Neptune Blvd., Neptune NJ on May 13, 2013 at 7:00 P.M. at which time and place objections to said amendment may be presented by taxpayers or other interested persons.

	From	To
GENERAL REVENUES		
3. Miscellaneous Revenues – Section G: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Other Special Items:		
Reserve for FEMA (Hurricane Sandy)	775,000.00	1,250,504.00
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations	2,052,497.95	2,527,501.95
SUMMARY OF REVENUES		
3. Miscellaneous Revenues:		
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations	2,052,497.95	2,527,501.95
Total Miscellaneous Revenues	9,849,864.13	10,324,868.13
5. Subtotal General Revenues	14,567,847.21	15,042,851.21
7. Total General Revenues	40,065,753.68	40,546,253.68
8. GENERAL APPROPRIATIONS		
(E) Deferred Charges and Statutory Expenditures- Municipal Excluded from “CAPS”		
Special Emergency Authorizations – 5 Years	720,000.00	1,200,500.00
(H-2) Total General Appropriations for Municipal		

Purposes Excluded from "CAPS"	6,781,213.68	7,261,713.68
(L) Subtotal General Appropriations	37,165,753.68	37,646,253.68
9. Total General Appropriations	40,065,753.68	40,546,253.68

SUMMARY OF APPROPRIATIONS

(E) Total Deferred Charges	720,000.00	1,200,500.00
Total General Appropriations	40,065,753.68	40,546,253.68

DEDICATED SEWER UTILITY BUDGET

10. DEDICATED REVENUES FROM SEWER UTILITY

Special Items of General Revenue Anticipated with Prior
Written Consent of the Director of Local Government Services

FEMA Disaster Assistance – Hurricane Sandy	105,000.00	140,000.00
Total Sewer Utility Revenues	6,674,600.00	6,709,600.00

11. APPROPRIATIONS FOR SEWER UTILITY

Deferred Charges and Statutory Expenditures:

DEFERRED CHARGES:

Special Emergency Authorizations	100,000.00	135,000.00
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TOTAL SEWER UTILITY APPROPRIATIONS	6,674,600.00	6,709,600.00
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DEDICATED MARINA UTILITY BUDGET

11. APPROPRIATIONS FOR MARINA UTILITY

Disaster Assistance – Restoration of Marina Facilities	500,000.00	300,000.00
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Deferred Charges and Statutory Expenditures:

DEFERRED CHARGES:

Special Emergency Authorizations	200,000.00	400,000.00
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